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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,913	06/01/2005	Francois Duhamel	Q87257	5422
23373 7590 08/01/2008				
SUGHRUE MION, PLLC				
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SUITE 800				
WASHINGTON, DC 20037				
EXAMINER				
TRAN, PABLO N				
ART UNIT		PAPER NUMBER		
2618				
MAIL DATE		DELIVERY MODE		
08/01/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/529,913

Applicant(s)

DUHAMEL ET AL.

Examiner

Pablo N. Tran

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson (WO01/28168A).

As per claims 1, 6, 8, and 11-13, Johansson disclosed a method of managing downlink data transfers between a radio access network of a packet-switched communications network and mobile stations, wherein in the event of a request for downlink data transfer to a mobile station, said data to be transferred being received by the radio access network, sending a link set-up request to the mobile station by means of the radio access network and, on reception by the radio access network of a response to the request sent by the mobile station, and setting up a downlink access to send the data to the mobile station (abstract, pg. 1/ln. 28-pg. 3/ln. 25, pg. 5/ln. 29-pg. 6/ln. 26).

Johansson disclosed such transmission of the request message can be an SMS message but not explicitly as a paging message. However, such paging technique is well known in the art. Therefore, it would have been obvious to one of ordinary skill in

the art for Johansson to utilize such paging technique in order to save network resources (i.e. bandwidth).

As per claims 2 and 7, the modified communication system of Johansson further disclosed the link set-up request requires the mobile station to send said radio access network an uplink access request and, on receipt of the request, network resources for setting up said uplink access are assigned so that the mobile station can send said response to the link paging request over that uplink access (pg. 5/ln. 29-pg. 6/ln. 26).

As per claims 3 and 9, the modified communication system of Johansson further disclosed the uplink access request includes a reference identifier recognizable by the mobile station and, on receipt of the uplink access request, the reference identifier is extracted in order to set up said uplink access (pg. 10/ln. 1-pg. 11/ln. 20).

As per claims 4 and 10, the modified communication system of Johansson further disclosed the response includes a call identifier of the mobile station, known to the network, and, on receipt of the response, the call identifier is extracted in order to set up the downlink access (pg. 10/ln. 1-pg. 11/ln. 20).

As per claim 5, Johansson disclosed the link paging request is generated by said radio access network access (pg. 5/ln. 29-pg. 6/ln. 26).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (571)272-7898. The examiner normal hours are 9:30 -5:00 (Monday-Friday). If attempts to reach the

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examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) System. Status information for Published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directauspto.gov>. Should You have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (in USA or CANADA) or 571-272-1000.

July 26, 2008

/Pablo N Tran/

Primary Examiner, Art Unit 2618